

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:12cv329**

**JERRY JUSTIN TRENT,**

**Plaintiff,**

**VS.**

**RICHARD B. ROBERTS,  
THE STATE OF NORTH CAROLINA,  
STEVE E. BROOKS, and  
WAYNE E. JOHNSON,**

## Defendants.

## ORDER

**THIS MATTER** is before the Court on the following matters:

1. The Plaintiff's Complaint [Doc. 1];
2. The Plaintiff's Motion for Summary Judgment [Doc. 2];
3. The Plaintiff's Motion to Find the Defendants' Crimes to be Aggravated in Nature [Doc. 3];
4. The Plaintiff's Motion to Judge Plaintiff Action on Merits Alone [Doc. 4];
5. The Plaintiff's Motion for Leave of Court to Depose [Doc. 5];
6. The Plaintiff's Motion for Leave of Court to Depose [Doc. 6];
7. The Plaintiff's Motion for Leave of Court to Depose [Doc. 7];
8. The Plaintiff's Motion to Order the Defendants to Process Plaintiff's Next

Financial Instrument [Doc. 14]; and

9. The Plaintiff's Motion to Judge Plaintiff Action on Merits Alone [Doc. 15].

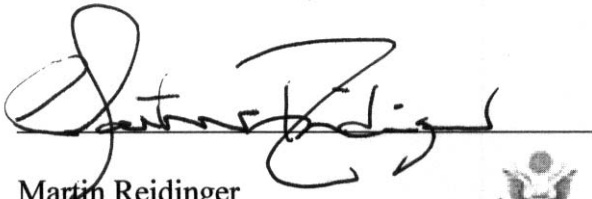
The Plaintiff, who appears *pro se*, initiated this action pursuant to 42 U.S.C. §1983. [Doc. 1]. Although not entirely clear, it appears that the litigation arises from an administrative garnishment of the Plaintiff's wages by the North Carolina State Education Assistance Authority in order to collect a debt owed by the Plaintiff as the result of student loans. [Doc. 1-5 at 19-20, 22-24, 27-28, 37]; [Doc. 1-6 at 20]. The time within which the Defendants must answer or otherwise appear has not yet expired. The Plaintiff, however, has filed the motions referenced above but has failed to serve the Defendants with copies of them, as is required. Fed.R.Civ.P. 5.

Each of the pending motions is premature and will be dismissed without prejudice to renewal at the appropriate time. The Plaintiff is cautioned that despite his *pro se* status, he is required to follow the Federal Rules of Civil Procedure as well as the local rules of this District.

**IT IS, THEREFORE, ORDERED** that The Plaintiff's Motion for Summary Judgment [Doc. 2], Motion to Find the Defendants' Crimes to be Aggravated in Nature [Doc. 3], Motion to Judge Plaintiff Action on Merits Alone [Doc. 4], Motion for Leave of Court to Depose [Doc. 5], Motion for Leave of Court to

Depose [Doc. 6], Motion for Leave of Court to Depose [Doc. 7], Motion to Order the Defendants to Process Plaintiff's Next Financial Instrument [Doc. 14], and Motion to Judge Plaintiff Action on Merits Alone [Doc. 15] are hereby **DENIED** as premature.

Signed: December 11, 2012

  
Martin Reidinger  
United States District Judge

